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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-eighth session

Summary record of the 1554th meeting
Held at the Palais des Nations, Geneva, on Wednesday, 8 November 2017, at 10 a.m.

Chair: Ms. Leinarte

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined second to fourth periodic reports of the Democratic People's Republic of Korea (CEDAW/C/PRK/2-4; CEDAW/C/PRK/Q/2-4 and CEDAW/C/PRK/Q/2-4/Add.1)

1. *At the invitation of the Chair, the delegation of the Democratic People's Republic of Korea took places at the Committee table.*

2. **Mr. Han** Tae Song (Democratic People's Republic of Korea), introducing the combined second to fourth periodic reports of the Democratic People's Republic of Korea (CEDAW/C/PRK/2-4), said that women's rights and activities were protected under several items of legislation, including the Act on the Protection and Promotion of the Rights of Women, the Act on the Protection and Promotion of the Rights of Children and the Labour Protection Act. Preferential treatment measures for women included maternity leave and exemption from arduous and dangerous work, night shifts and overtime. The 1946 Decree on Gender Equality had freed women from the shackles of feudalism and enabled them to take part in State activities and social life with equal freedoms and rights with men for the first time. The institution of Mother's Day, 16 November, was faithfully observed and was a means of encouraging respect for women throughout society.

3. Efforts to implement the Convention in good faith faced tremendous challenges, not least from the inhumane economic sanctions imposed on the Democratic People's Republic of Korea, which affected women and children in particular, blocking as they did the delivery of medical equipment and supplies and basic commodities, thereby threatening the protection and promotion of women's rights. He called for the sanctions to be lifted immediately.

4. Furthermore, the South Korean authorities had organized the kidnapping of 12 women from the Democratic People's Republic of Korea and refused to confirm whether they were alive or dead. He called on the South Korean authorities to apologize for what amounted to a crime against humanity and to return the women to their families forthwith.

5. His country still had much to do in order to implement the Convention and promote women's rights at the highest level, not least by ensuring quality education and health, favourable working and living conditions for women and cooperation with international organizations. The Democratic People's Republic of Korea categorically rejected the politicized human rights dialogue based on the false testimony of so-called "defectors" but was willing to engage in dialogue and cooperation for the protection and promotion of genuine human rights, including women's rights.

6. His country's willingness to engage in international cooperation was reflected in the invitation that it had extended to the Special Rapporteur on the rights of persons with disabilities and in the Special Rapporteur's mission to the Democratic People's Republic of Korea in May 2017.

Articles 1 to 6

7. **Ms. Manalo** said that she would like to know how the 2010 Act on the Protection and Promotion of the Rights of Women incorporated the definition of discrimination as provided for in article 1 of the Convention and the concept of gender equality as provided for under article 2. She enquired how women had contributed to the drafting of the Act.

8. The Government's replies to the Committee's list of issues (CEDAW/C/PRK/Q/2-4/Add.1, para. 4) referred to a system of coordination of implementation of the Convention down to the grass-roots level. She wondered how the State party ensured upward feedback from the general public, particularly young people and girls, on the policies and measures in place and how it took account of that input.

9. The national civil society organizations funded by the State party were not true non-governmental organizations (NGOs) but formed part of the Government. There were no

voluntary organizations to promote women's causes. She would like to know how, in such a context, the State party ensured that measures taken under the Convention were evaluated in order to ensure that they did not violate human rights in general, and women's rights in particular.

10. She enquired how the State party disseminated information concerning the Act on the Protection and Promotion of the Rights of Women and what impact the Act was having on gender equality.

11. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that, in accordance with article 2 of the Act on the Protection and Promotion of the Rights of Women, his country's consistent policy was to ensure sexual equality and to prohibit all forms of discrimination against women. Although there was no explicit definition of discrimination in the Act, that article attested to a firm commitment not to tolerate discrimination of any kind, as stipulated in the Convention. All the elements of the definition given in the Convention were covered by individual articles of the Act. There had been much discussion about the definition of discrimination during the preparation of the State party's report and it had been decided that it would be possible to provide a definition in the future.

12. In preparing the Act, the Government had solicited the views of women from all walks of life and held consultations with people's committees. The draft had been finalized taking full account of women's views.

13. There was a well-developed and highly effective system to monitor implementation of the Act at all levels, from the Presidium of the Supreme People's Assembly to the grass roots, and in all institutions and enterprises. Attention was paid to working conditions and the protection of women's rights at work; where violations were detected, recommendations were submitted to the relevant institutions and the Presidium.

14. Civil society organizations worked with various groups in the Democratic People's Republic of Korea. The Korean Federation for the Protection of Persons with Disabilities, for example, worked to carry out State policies on persons with disabilities and ensure favourable working and living conditions. It also conducted awareness-raising activities and carried out surveys to ascertain whether the relevant legislation was being properly implemented. Thus, with the help of civil society organizations, the rights of groups such as persons with disabilities, older persons and women were regularly monitored, which enabled any measures required to be taken in timely fashion.

15. Like other legislation, the Act on the Protection and Promotion of the Rights of Women was disseminated through a legal education programme, whereby any new legislation or legislative amendments were publicized nationwide. The status of implementation of laws was regularly monitored. The Presidium drew up a yearly action plan for the dissemination of legislation to the provincial and community levels and gathered information on implementation, thereby actively helping women to understand and exercise their rights.

16. **Ms. Bethel** commended the State party for the creation of the National Committee for the Implementation of International Human Rights Treaties, which had a mandate to ensure that the provisions of the Convention and of the Act on the Protection and Promotion of the Rights of Women were integrated into State policy. She asked who the members of the National Committee were, how many members were women and what decision-making authority they had. It would be useful to know how the Convention and the Act were integrated into State policy.

17. Noting that the National Committee carried out periodic surveys of women's status and situation, she said that she would be interested to know what recommendations it had made in the past two years that had helped advance women's rights.

18. She enquired what the mandate of the Korea Democratic Women's Union was with regard to the advancement of women's rights and substantive equality. She wondered how the Union interfaced with the National Committee. She would appreciate information as to the content of one of the Union's more recent surveys and the recommendations made to

the Cabinet. She enquired what policy guidance the State party gave to the Union and other State-affiliated institutions.

19. She would be interested to know the status of the 10-year national plan of action for women to promote gender equality and whether it included a road map with a timeline for the achievement of specific goals and objectives.

20. According to the State party's report, the Convention had the same status as national legislation and in the event of a conflict the provisions most favourable for the realization of women's rights prevailed. Taking note of the delegation's information to the effect that the Convention was widely disseminated, she would like to know how many women had invoked the Convention in order to enforce their rights and which specific Convention rights had allegedly been violated.

21. Alternative sources indicated that the population was unaware of the existence of the Act on the Protection and Promotion of the Rights of Women or that it could be enforced to protect their rights. She therefore wondered how the Act was enforced, which institution was responsible for enforcement, what complaint mechanism was available to women, how many violations had been prosecuted under the Act and what sentences had been imposed.

22. **Ms. Verges** said that she wished to know what temporary special measures the State party had taken or intended to take to ensure that women were represented in leadership positions in the legislative, executive and judicial branches of government and in the military and security forces. Similarly, she wished to know whether the women who held seats in the Supreme People's Assembly were high-ranking members of that body.

23. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that efforts to implement the international human rights instruments to which the country was a party had previously been coordinated by a specific national committee for each instrument. In 2015, however, those committees had been folded into a single committee, the National Committee for the Implementation of International Human Rights Treaties, which worked to ensure that the provisions of those treaties were reflected in national policies and laws. It also convened meetings to review the implementation of the treaties, conducted surveys and organized workshops, training sessions and photography exhibitions to familiarize officials with the instruments that the country had ratified.

24. The members of the National Committee, which was not a standing body, included representatives of the Presidium of the Supreme People's Assembly, government ministries, law enforcement agencies and social organizations such as the Korea Democratic Women's Union. Women accounted for slightly more than a quarter of its 108 members, but efforts were being made to increase that proportion. The Committee answered to the Presidium. It played a major role in the preparation of the reports that were submitted to the treaty bodies. It had also been instrumental in the Government's decision to ratify the Convention on the Rights of Persons with Disabilities.

25. Surveys conducted by the National Committee sought to shed light on the application of the Act on the Protection and Promotion of Women's Rights and the effectiveness of measures to implement the Convention. Replies to those surveys informed efforts to develop remedial measures.

26. **Ms. An** Wol Sun (Democratic People's Republic of Korea) said that the Korea Democratic Women's Union was a social organization that advocated for the rights of women from the grass-roots level to the highest levels of government. The Union's Central Committee included full-time members and representatives of a number of government ministries and other institutions. The Union's responsibilities included familiarizing women with State policies and laws, organizing cultural activities and working to enhance women's role in society and in the upbringing and development of children. In addition, it made recommendations and forwarded them to law-making and other institutions, with which it worked for the advancement of women throughout the country. The Women's Union also conducted surveys.

27. A department of the Union worked closely with the Nursery Department of the Ministry of Public Health. Their joint efforts focused on health care, hygiene and nutrition. They were also partners in a movement whose aim was to set up modern nurseries

throughout the country. In addition, the Union conducted a range of activities to improve the quality of care provided at nurseries and kindergartens and provided input for the development of nutritional standards. The Union's grass-roots sections collected information on good practices at local level and forwarded them to its Central Committee. A selection of those practices was regularly published in an official magazine.

28. **Ms. Bethel** said that, as she had noted earlier, she would welcome specific information on the surveys that were taken by the National Committee for the Implementation of International Human Rights Treaties and the Korea Democratic Women's Union with a view to clarifying the status of women in the State party. She acknowledged the efforts made by the Women's Union to improve the country's nurseries and kindergartens but said that the recommendations that it had made in respect of women's status and rights had not been addressed. She also recalled her earlier question about the number of women who had invoked the Convention before the State party's courts. In that connection, the delegation should indicate what specific Convention rights women applied to the courts for and how likely it was that complaints of violations of their rights under the Convention and the Act on the Protection and Promotion of Women's Rights would lead to prosecutions.

29. **Ms. Hayashi** asked how the Committee's previous concluding observations had been disseminated and what options women had if their rights were violated and they wished to submit complaints.

30. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that the surveys carried out by the National Committee for the Implementation of International Human Rights Treaties had led to the formulation of recommendations that had been forwarded to the Presidium of the Supreme People's Assembly and the Cabinet. In recent years, the National Committee had carried out surveys on the status of women in people's committees and other institutions. The surveys had revealed a number of discriminatory hiring and employment practices. Some employers, for example, transferred female workers against their wishes while they were on maternity leave. When those practices had come to light, investigations had been conducted, and at least one manager had received an administrative sanction, while others had been given warnings.

31. The country had complaints mechanisms that operated from the centres of power to the grass-roots level. All public institutions, as noted in the country's periodic report, had departments for dealing with complaints. Smaller organizations appointed an official to receive complaints. Complaints were investigated and resolved within three months. The country's institutions, both large and small, held regular meetings at which complaints were aired and resolved.

32. **The Chair**, speaking in her capacity as an expert, asked whether the delegation could provide information on the State party's complaints mechanisms that was not already in its periodic report.

33. **Ms. Hayashi** said that she would welcome data on the number of complaints of sexual harassment and rape in the workplace. An indication of how the perpetrators of such offences were punished would also be welcome.

34. **Mr. Jang** Il Hun (Democratic People's Republic of Korea) said that information about the Convention had been transmitted on television and radio programmes. Not everyone in the country was thoroughly familiar with the Convention as a result, but, when women needed information about the Convention and their rights, they could always find it.

35. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that women with complaints could turn to the complaints departments of the Presidium of the Supreme People's Assembly, the Ministry of People's Security, the Supreme Public Prosecutor's Office and people's committees. Complaints of sexual harassment in the workplace could be submitted to a committee of the Presidium.

36. Women accounted for just under a quarter of all ministry officials but were overrepresented in low- and mid-level positions. They held slightly more than a quarter of the seats in the Supreme People's Assembly. Every effort was being made to increase the

proportion of women in senior positions. The Cabinet, for instance, had issued directives encouraging women's participation in the public life of the country.

37. **Mr. Jong** Song Il (Democratic People's Republic of Korea) said that there were a number of women in high-level ministerial posts, including the Secretary General of the Supreme People's Assembly. A handful of women also held high-ranking positions in the armed and security forces.

38. **Mr. Jang** Il Hun (Democratic People's Republic of Korea) said that, in the past, few women had been interested in a career in diplomacy. In recent years, however, more and more women had joined the Ministry of Foreign Affairs and travelled abroad to learn foreign languages. In addition, a number of women were among the local staff members employed by the United Nations agencies that had a presence in Pyongyang.

39. **Ms. Nadaraia** said that she would welcome an explanation of the reasons for the State party's adoption of measures that were incompatible with the Convention. Those measures included articles of the Act on the Protection and Promotion of Women's Rights that — by encouraging women to bear numerous offspring, for example, by allowing educational institutions not to recruit female teachers for certain subjects or by denying women access to particular fields of employment — reinforced traditional gender roles.

40. **Ms. Manalo** asked what specific measures other than the adoption of a handful of laws that were effective only on paper were being taken by the authorities of the State party to address the widespread exploitation of women and children, which included enslavement, rape and sex trafficking, as documented by the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea in a report (A/HRC/25/63) published in 2014. Her purpose in asking was to help the State party fulfil its obligations under the Convention.

41. **Ms. Bethel** said that she wished to know when the State party intended to accede to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and develop a national policy on human trafficking.

42. Citing reports that the State party was a source country for women and girls who were subjected to forced labour, forced marriages and trafficking for the purposes of sex, she wished to know when the Government intended to criminalize human trafficking and recognize it as a separate offence from human smuggling. Details would be welcome on the measures being taken to train law enforcement officials in the identification of victims and to provide shelters and health-care services for victims who were repatriated to the State party, rather than punishing them as political traitors. It would be interesting to hear the delegation's comments on how the State party could alleviate the economic burden that made women vulnerable to human trafficking.

43. She would appreciate statistical data on the number of women forcibly repatriated from China to the State party each year, the sentences imposed on those women and the number of women who had been subjected to forced abortions in the State party after becoming pregnant in China.

44. **Mr. Jang** Il Hun (Democratic People's Republic of Korea) said that his Government categorically rejected the unsubstantiated allegations of torture, rape and forced abortions, which were politically motivated and stemmed from the resolutions adopted each year by the Human Rights Council and the General Assembly. Those practices were prohibited in the Democratic People's Republic of Korea and therefore did not exist in the country.

45. The authorities were still considering whether to accede to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, given that a number of the international agreements that they had previously ratified had later been used to fuel propaganda against the Democratic People's Republic of Korea.

46. **Mr. Jong** Song Il (Democratic People's Republic of Korea) said that, as the Government had repeatedly asserted over the past decades, the allegations of forced repatriations from China and the existence of political prison camps were groundless. During the 1990s, economic difficulties and natural disasters had forced many people to

travel to China in search of food. All those people had returned, including the small number who had crossed the border without the proper travel documents. The tense political and military situation on the Korean peninsula had led to the politicization of humanitarian issues, and the sanctions applied to the Democratic People's Republic of Korea by the United States of America and the United Nations Security Council prevented women and children from having access to humanitarian assistance.

47. **The Chair**, speaking in her capacity as an expert, asked the delegation to comment on the Government's efforts in the area of domestic violence.

48. **Mr. Jong** Song Il (Democratic People's Republic of Korea) said that, to his knowledge, there was no sexual or domestic violence in his country.

Articles 7 to 9

49. **Ms. Verges** said that she welcomed the State party's efforts in the area of the representation of women in high-level and diplomatic positions. She wished to learn whether there was a mechanism in place to encourage more women into such roles with a view to achieving parity between men and women. She would be grateful for details of the Government's efforts to increase the number of women in high-level positions in the judiciary.

50. She would welcome information on whether the Government planned to establish a forum for civil society organizations working in the area of women's rights.

51. **Ms. Hayashi** said that, while she welcomed the State party's withdrawal of its reservation to article 9 (2) of the Convention, she would appreciate clarification of how the law had been amended to allow women who were married to foreign nationals to pass their nationality to their children. She would also be interested to learn about any retrospective measures that had been put in place to allow children who had previously been prevented from acquiring nationality to apply for it, following the authorities' change of position.

52. She would be grateful to receive statistical data, disaggregated by sex, on the number of stateless persons present in the State party, the number of stateless and foreign women who had applied for nationality and the number of such applications that had been granted.

53. **The Chair**, speaking in her capacity as an expert, said that the Committee would welcome any statistical data that the delegation was able to provide.

54. **Ms. Hayashi** said that it was unclear whether a woman who was a national of the Democratic People's Republic of Korea was able to pass her nationality to her children if they were born abroad.

55. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that, if for any reason the child of a national of the Democratic People's Republic of Korea did not automatically qualify for nationality, the child could apply for nationality by making an application to the relevant institution.

56. There were no more than five or six stateless persons present in the Democratic People's Republic of Korea, all of whom had one parent who was a foreign national. Citizenship proceedings for those persons were under way and would be concluded in due course. During their brief period of statelessness, they were provided with a certificate of statelessness by the Ministry of People's Security.

57. **Ms. Verges** said that she would welcome a response from the delegation to her earlier question about civil society organizations working in the area of women's rights.

58. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that the National Committee for the Implementation of International Human Rights Treaties included representatives of civil society organizations. Any issues arising in that sphere were addressed by that Committee. The Government currently had no plans to establish a civil society forum.

Articles 10 to 14

59. **Ms. Haidar** said that she would welcome information on the number of women in tertiary education who were studying in non-traditional fields and on how the Government was encouraging more women to enter those fields. She would be interested to hear about any initiatives in place to address the stereotypes of women found in school textbooks and to give women more education and employment opportunities. Details would be appreciated on the number of female class presidents in primary, middle and upper schools. She would welcome the delegation's comments on any measures that were being taken to address sexual assault and harassment in schools.

60. **Mr. Bergby** asked whether men were eligible for paid or unpaid paternity leave or any other type of leave relating to the birth of their children. If not, he wished to know whether the State party planned to introduce measures to give men the opportunity to take an active part in raising their children. He asked whether women were allowed to work beyond the retirement age of 55 years and whether the State party planned to amend its legislation to make the mandatory retirement age for women and men the same.

61. Given that the Socialist Labour Act provided that all workers should receive equal remuneration for equal work, irrespective of their gender, and that the Act on the Protection and Promotion of the Rights of Women provided that men and women should receive equal pay for work of equal value, he asked whether the latter provided better protection for women than the Socialist Labour Act. He would welcome data on equal pay, disaggregated by gender, type of profession and work in the different sectors of the State party's economy.

62. It appeared that there were significantly fewer women than men in senior positions in the State party's workforce, including in the education sector. He would welcome precise data on the representation of women in the different sectors of the economy, including details of their level of responsibility. It would be useful to know whether the State party planned to use temporary special measures to increase the number of women in senior positions, in accordance with article 4 of the Convention. He asked how the State party planned to amend its policy of declaring some occupations unsuitable for women and others exclusively or almost exclusively the purview of women in order and thus bring it into line with the Convention.

63. It would be useful to learn whether sexual harassment in the workplace was prohibited by law and whether there were any complaint mechanisms available to women who were victims of such harassment. The Committee would appreciate statistics in that regard. He failed to understand why, under the Criminal Code, the penalty incurred by a man who coerced a female subordinate to have sexual intercourse with him was only 3 years, while the penalty for rape was 10 years.

64. **Ms. Hayashi** said that she would welcome data on malnutrition in the State party, disaggregated by sex, age and area of residence. She asked what specific measures were being taken to ensure the provision of food to the most vulnerable groups in society, including women and children. It would be interesting to learn whether any facilities dedicated to women's health had been opened during the reporting period, other than the Pyongyang Maternity Hospital. It would also be useful to know how often women were eligible for the regular medical check-ups mentioned in paragraph 154 of the periodic report and whether there were any plans to extend women's health facilities to remote areas. She enquired whether modern contraceptive methods and information on sexual and reproductive health were readily available to single as well as married women. She wished to know whether there were any programmes in place to raise men's awareness that contraception was the responsibility of both men and women. She had been surprised to read in the report that no cases of HIV/AIDS had been reported to date in the State party. She would welcome the delegation's view on whether that was because there was no one with HIV in the State party or whether there were barriers hindering people living with HIV from seeking medical assistance. If the latter was the case, she wished to know what specific measures had been taken to reach out to those people, especially women, to enhance their access to health services.

65. **Ms. Ri** Hye Ryon (Democratic People's Republic of Korea) said that over 32 per cent of university students in her country were women and some 55 per cent of college

students were girls. In 2014, in order to ensure that more women pursued higher education, college education had been extended from two to three years and the curriculum had been revised. Open and distance education had been introduced in 2009 and, currently, 60 per cent of open university students were women. Furthermore, women were encouraged to pursue studies in traditionally male-dominated areas, such as mathematics, science and technology. Women were becoming increasingly aware of their rights and the fact that they could contribute to society on an equal footing with men.

66. Within the context of preparations for the most recent revision of the compulsory education system in 2014, all school textbooks had been updated and any content deemed to discriminate against women and girls or to depict gender inequality as acceptable had been removed. Under its efforts to attain Sustainable Development Goal 4, the Government was conducting cooperation programmes with the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund to revise and improve education on gender equality and human rights in general.

67. Many women worked in the education sector and the majority of head teachers were women. They were actively involved in improving children's education. While, in the past, most class presidents had been boys, currently many girls took the role of class president.

68. Children were taught about their bodies in secondary school. Parents were traditionally involved in their children's sexual and reproductive health education, as were household doctors, who visited each home periodically to talk to all children about sex education. The Ministry of Public Health and the Korean Family Planning and Maternal and Child Health Association also published several books and brochures for children on sexual and reproductive health.

69. **Ms. An** Wol Sun (Democratic People's Republic of Korea) said that, in 2015, maternity leave had been extended from two months before and three months after childbirth to a total of 240 days. The aim of that measure was to ensure that new mothers made a full recovery and could focus on their newborns, particularly their nutrition. Paternity leave had not yet been introduced.

70. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that the retirement age of 55 years for women was a temporary special measure that had been introduced in order to ensure gender equality. The aim was to eliminate some stereotypical attitudes towards women and men in the workplace and elsewhere. Women who wished to continue working beyond the age of 55 and were in good health were at liberty to do so.

71. On the issue of the representation of women in senior positions, he said that steps were taken to encourage women to pursue tertiary education and in-service training was organized regularly to facilitate their promotion. The media provided extensive coverage of women's successes, notably when they received labour awards and achieved sporting success.

72. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that the provisions of the Criminal Code concerning rape and sexual coercion of a subordinate applied equally to sexual harassment in the workplace. However, to date, no cases of sexual harassment had been reported. The penalty for sexual coercion of a subordinate was lower than that for rape because it did not involve the use of force.

73. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that the table establishing the proportion of male and female workers by occupation, referred to in paragraph 44 of the periodic report, had been introduced as a temporary special measure in 2009, on the basis of the data obtained in the 2008 national census. The special measure was aimed at encouraging more women to participate in public life; once the proportions specified in the table had been attained, the measure would be discontinued.

74. **Ms. An** Wol Sun (Democratic People's Republic of Korea) said that there had been a significant reduction in the level of hunger and maternal malnutrition in her country. Precise data would be available in 2018, once the national census had been conducted. A survey focusing on women aged between and 15 to 29 years had found that 10.6 per cent were malnourished. Another survey conducted in 2009, which had used multiple indicators, had found that the rate of malnutrition had stood at 32 per cent and the acute malnutrition

rate 5.2 per cent. According to a 2012 national nutrition survey, those figures had dropped to 27 per cent and 5 per cent respectively. Once a woman was pregnant, she was provided with sufficient food; that provision continued during the first year of the child's life.

75. Several steps had been taken to improve access to maternal health care. From 2015, family counselling sections had been opened in all provincial, municipal and county hospitals, offering both women and men consultations and counselling. Strategies and action plans on safe abortion were in place, focusing on preventing illegal abortion and complications resulting from abortion. Household doctors were responsible for the reproductive health of their patients.

76. **Ms. Haidar** said that she was concerned that the proportion of women in tertiary education was only 32 per cent, whereas girls accounted for over 50 per cent of secondary school students. She asked how the State party planned to address the fact that so many women dropped out of the education system after secondary school.

77. **Ms. Hayashi** asked why the penalty for committing crimes of a sexual nature against children had been reduced in 2012.

The meeting rose at 1 p.m.

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Committee on the Elimination of Discrimination against Women
Sixty-eighth session

Summary record of the 1555th meeting
Held at the Palais des Nations, Geneva, on Wednesday, 8 November 2017, at 3 p.m.

Chair: Ms. Leinarte

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Second to fourth periodic reports of the Democratic People's Republic of Korea (*continued*) (CEDAW/C/PRK/2-4; CEDAW/C/PRK/Q/2-4 and CEDAW/C/PRK/Q/2-4/Add.1)

1. *At the invitation of the Chair, the delegation of the Democratic People's Republic of Korea took places at the Committee table.*

Articles 10 to 14 (continued)

2. **Ms. An** Wol Sun (Democratic People's Republic of Korea), replying to questions raised at the previous meeting, said that it was true that, thanks to comprehensive and regular screening, no cases of HIV/AIDS had yet been diagnosed in the Democratic People's Republic of Korea. The country's Reproductive Health Strategy (2011-2015) included measures for the prevention, detection and treatment of HIV/AIDS and other diseases, and the necessary medications and testing equipment were supplied by the World Health Organization and other international organizations. Well-structured information, education and communication activities, as well as intensive awareness-raising campaigns, were undertaken to sensitize the public to the issue, with household doctors playing a crucial role in disseminating relevant information at the grass-roots level. Persons travelling abroad were informed of the risk of HIV/AIDS and other diseases prior to travelling. On their return home, they received an initial check-up at the point of entry and a second about three months later.

3. **Mr. Jong** Song Il (Democratic People's Republic of Korea), said that, as state in paragraph 126 of his country's periodic report (CEDAW/C/PRK/2-4), there was no difference in the meaning of equal pay for equal work, as stipulated in the Labour Act, and equal pay for equal value, as laid down in the Act on the Protection and Promotion of the Rights of Women. Both provided the right to equal pay for women and men.

4. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that sexual coercion of a subordinate was punishable by a penalty commensurate with the severity of the offence. The penalties were higher if force had been used; lower if the woman had been lured, rather than forced, into having sexual relations. Likewise, if the woman had acquiesced in the hope of obtaining some benefit, the penalty would be reduced.

5. **Ms. Ri** Hye Ryon (Democratic People's Republic of Korea) said that, since primary and secondary education were both free and compulsory in the Democratic People's Republic of Korea, school dropouts did not occur, as borne out by the results of the 2008 Population Census. Even so, every effort was made to remove any obstacles preventing students from completing their studies. If students needed time off, as a result of an illness or an accident, for example, they could take up to a year out of school before returning to finish their education.

6. **Mr. Bergby** said that he would welcome data on average salaries for women and men in low-, middle- and high-level positions in State-owned enterprises and in government positions.

7. **Mr. Jong** Song Il (Democratic People's Republic of Korea) said that women and men received equal pay for work of equal value at all levels of employment, without exception. Women occupying senior positions in government, for example, were paid exactly the same as their male counterparts.

8. **Ms. Verges**, referring to paragraph 45 of the State party's report, said she was concerned that, by introducing a table establishing the proportion of women and men workers in specific occupations and a list of job categories to be carried out by women, the State party risked perpetuating traditional gender stereotypes. Were women limited to working in specific positions and industries?

9. **The Chair**, speaking in her capacity as an expert, said that it was important to point out that, when forced to engage in sexual relations with older, more powerful men, women had nothing to gain and everything to lose. Sexual coercion was based on a woman's fear of losing her employment if she refused or complained. She wished to know how the State party protected women in that situation.

10. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that, regardless of whether a woman in a subordinate position was being forced to engage in sexual relations for fear of losing her job or in exchange for preferential treatment, it was her choice as to whether or not she complied. If she did not consent to having sexual relations and was forced to do so, the perpetrator was committing rape and would be punished accordingly.

11. **Mr. Bergby** asked whether any complaint mechanisms were available to women who experienced sexual harassment in the workplace.

12. **Ms. Hayashi** said that she wished to know what was the exact definition of rape in the State party's legislation and whether it was in line with the Convention. Noting that the State party did not currently have any statistics on victims of sexual harassment, she asked whether any activities had been conducted to inform women of the complaints mechanisms and counselling or support services that were available. In a similar vein, she wondered whether any hotlines or shelters for victims existed.

13. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that an effective reporting mechanism was in place, to which women could make complaints if their rights had been violated, including in the form of sexual harassment in the workplace. Any and all such complaints were vigorously investigated. If a complainant was aggrieved with the outcome of the complaint, she could lodge a further complaint with a higher authority. Requests for assistance, such as victims' shelters, could be made to the same mechanism dealing with the complaint. Lastly, an effective system of legal aid was in place to provide women with help in bringing legal action.

14. **Mr. Jang** Il Hun (Democratic People's Republic of Korea) said that every home, office and public building had a list of official telephone numbers in case of fire, emergency or accident. Women victims could therefore call the relevant number to report a sexual offence and the appropriate personnel could be at her location in minutes. That said, sexual violence, sexual harassment, domestic violence and marital rape were phenomena that seemed to occur only rarely.

15. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that the table establishing the proportion of male and female workers by occupation had been introduced as a temporary special measure for the purposes of encouraging more women to participate actively in public life and increasing women's awareness of their potential, their rights and their duty to contribute to the well-being of society. Women's physiological characteristics had been taken into account to some extent; for example, a greater proportion of men was required in posts that involved hard labour. However, once the proportions specified in the table had been reached, the measure would be discontinued.

16. **Ms. Nadaraia** said that, since women contributed to the country's economic development and were often the main breadwinners, she wished to know whether a gender perspective had been incorporated into development and poverty-reduction strategies and whether women faced any discrimination in obtaining access to social benefits and pensions. Noting efforts to foster rural women's participation in public life and increase their life opportunities, she wondered what proportion of women from rural and farming communities received a university education compared with women from urban areas and what employment options were open to them.

17. Reports suggested that the lack of independent civil society organizations made it difficult for women to organize themselves into associations. The Korea Democratic Women's Union, for example, was a State-run organization that seemed to be for housewives. She wished to know whether any independent women's groups were advocating for women's rights and whether such organizations were consulted about and involved in new policies concerning women.

18. She would like to know how many women and girls with physical, psychosocial or intellectual disabilities lived in the State party and what support and services were available to them, particularly in the areas of education, health and employment.

19. Lastly, the Committee had received reports that women in detention were at risk of sexual violence and that women repatriated after having illegally crossed the border with China were imprisoned, faced inhumane treatment and even subjected to forced abortions. Many had been denied a fair trial and had been sentenced to hard labour. In that connection, she would appreciate statistics on the number of women who had died in places of detention and their causes of death, and on the number of women prisoners who had been forced to have abortions.

20. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that women and men had equal rights to a variety of social security benefits, without discrimination.

21. **Ms. An** Wol Sun (Democratic People's Republic of Korea) said that university education was free of charge in her country. The proportion of women from rural and farming communities who attended tertiary education was, however, lower than that of women from urban areas.

22. The Korea Democratic Women's Union was much more than an organization of housewives. It was a women's organization that advocated for women's rights, represented their interests and conducted a variety of activities in cooperation with government ministries and women's rights groups. Different departments within the Union championed the rights of specific groups of women or addressed particular concerns, which included those of housewives, working women and women with young families, among others.

23. **Mr. Bergby** said that a team of girls from the Democratic People's Republic of Korea had won the 2017 edition of the Norway Cup, an annual youth football tournament. He wondered how the State party had fostered such successful athletes.

24. **Ms. Hayashi** said that it was important to create an environment in which sexual harassment and domestic violence were acknowledged and discussed. The Government should collaborate with civil society and promote awareness-raising training for the police, judiciary and law enforcement officials, while encouraging women to come forward in order to understand the extent of the problem.

25. **Ms. Manalo** said that the Government had a responsibility to help victims of sexual violence who suffered from stigmatization, and asked what steps it was taking in that regard.

26. **Mr. Jang** Il Hun (Democratic People's Republic of Korea) said that sexual violence and harassment occurred only rarely and women were generally reluctant to discuss family issues publicly, possibly for reasons of tradition. However, the subjects were treated with due seriousness and law enforcement personnel received appropriate training.

27. Sportswomen from the Democratic People's Republic of Korea had been more successful at the international level than their male counterparts. The country was proud to have such talented and industrious sportswomen.

28. **Ms. An** Wol Sun (Democratic People's Republic of Korea) said that the Government had amended its legislation following its ratification of the Convention on the Rights of Persons with Disabilities to include provisions to protect the dignity of persons with disabilities. Under article 65 of the Constitution, which guaranteed equal rights for all, discrimination against persons with disabilities, including women, was prohibited in all fields. According to a survey conducted in 2014, 6.8 per cent of people aged over 60 years had some form of disability.

29. The Government was working to increase investment in the disability sector, including in rehabilitation facilities. In order to combat the marginalization and isolation of persons with disabilities, workshops and preferential treatment measures had been established, in addition to specialized businesses for persons with disabilities. Persons with disabilities were provided with free and accessible accommodation, and could receive medical check-ups and services such as hairdressing in their homes.

30. **Ms. Halperin-Kaddari** said that, in its replies to the list of issues (CEDAW/C/PRK/Q/2-4/Add.1), the State party had acknowledged the existence of domestic violence; the Central Court had produced educational materials on the issue, and movies, novels and other works portraying domestic violence were available. The Committee would be interested to see the educational materials concerned. It would also welcome information on the other materials, such as when they were produced, how they were distributed, who had access to them and the circumstances in which they were available.

31. She also wished to know how the Government encouraged women to report cases of domestic violence, what protection mechanisms existed for victims of domestic violence, whether the police were trained to handle situations of domestic violence and, in particular, whether there were female police officers nationwide able to address such cases and provide assistance to women and children. She also asked whether there were shelters for victims and, if so, how many people they could accommodate, whether they housed both women and children and how many women had made use of any such shelters.

32. Referring to paragraph 42 of the State party's replies to the list of issues, she noted that the country's definition of rape was not based on the free consent of women and therefore did not conform to either the Committee's definition or relevant international standards. She wished to know whether the same definition applied in cases of marital rape and whether marital rape was criminalized. She would appreciate information on the procedure for female victims of domestic violence, including marital rape, to file for divorce and on any protection measures available to women in such cases.

33. In the State party's report, it was stated that divorce could be granted if a marriage could not be continued because of "gross infidelity" or "some other reasons". She wished to know what the "other reasons" might be, and requested any available statistics on divorce, particularly statistics disaggregated by gender, as it had been reported that it was easier for men to file for and obtain divorces than women.

34. It had been reported that, by law, a person who destroyed another person's family was sent to a labour training centre. She wished to know whether that provision referred to adultery, whether it was applied in practice and whether any statistics on its use were available, including whether it was applied to men and women equally. She also requested information on article 11 of the Family Act. In particular, she wished to know whether it criminalized cohabitation or sexual relations outside wedlock.

35. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that, since the promulgation in 1946 of the Decree on Gender Equality, many publications, films and television series had been produced to provide citizens with examples of good practices in family life. Works included the film *The Question of My Family* and the television series *Family*. Unfortunately, it would not be possible to provide the educational materials on domestic violence produced by the Central Court within 48 hours.

36. Issues related to domestic violence often became public only if addressed in divorce cases in court. In the event of a family dispute, couples and families often sought the assistance of their local neighbourhood organization, which played a key role in resolving problems and encouraging positive contributions to society. There were no shelters for victims of domestic violence in the country.

37. Workshops and training sessions on women's rights were held for law enforcement officials, including the relatively high number of female security officers. Public officials had opportunities to learn and improve their qualifications; for employees of the Central Court, for instance, Wednesdays were dedicated to continuing legal studies.

38. There were a number of support organizations for women that worked to promote and protect the rights of citizens. The Korean Bar Association, for example, had created a civil legal fund and a bank to provide financial support to women involved in legal action.

39. He would be grateful if the Committee would give him the definition of marital rape and also clarify the question about marital rape and divorce. Couples were able to file for divorce if they did not have children together, or if one spouse wanted to adopt a child but the other did not.

40. Adultery was not criminalized. However, in the event that evidence of an extramarital affair was used to cause harm to the family of one of the persons involved, the person exposing the affair could be subject to sanctions.

41. Marriages were legally required to be registered, but persons in unregistered marriages were not subject to punishment. However, their marriage would not enjoy legal protection.

42. **Ms. Halperin-Kaddari** said that the concept of marital rape was based on the understanding that married women were not automatically or always sexually available to their spouses, that they did not lose their autonomy or freedom over their body when they married and that they retained the right to consent to sexual relations. Under that definition, a husband who forced himself sexually on his wife could be prosecuted for rape. She reiterated her wish to know whether women could use marital rape or domestic violence as a basis for divorce and whether there was a difference in the number of divorce cases filed by men and women. She would be grateful for any statistics on the number of divorce cases filed each year.

43. Referring to paragraph 268 of the State party's report, she requested additional information on adoption procedures. She wished to know whether there were any protection mechanisms for children involved in adoptions or any procedure to evaluate whether a child needed to be removed from his or her parents.

44. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that women were able to file for divorce on the grounds of marital rape. The total number of divorce cases filed in 2016 was 2,000 and, in the first 10 months of 2017, 1,700 cases had been filed. Fewer divorce cases were filed by women than by men.

45. Regarding adoption, it was inconceivable that a mother would give her children up for adoption because she was unable to raise them properly. A citizen who wished to adopt a child was required to obtain consent from the child's parents or guardian, as well as the consent of children over 6 years of age.

46. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that the Government would take measures to expedite implementation of the Convention and would consider legislative, administrative and other measures to further promote and protect women's rights.

47. **The Chair** said that she urged the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee. A model instrument of acceptance would be sent to the country's Permanent Mission.

The meeting rose at 4.25 p.m.